

REMARKS

Claims 12-18 are pending in the application, of which claims 14-18 have been withdrawn from consideration. Accordingly, claims 12 and 13 have been examined in the current Office Action, and have been rejected under 35 U.S.C. § 103(a).

Rejections under 35 U.S.C. § 103(a)

A. Rejection of claim 12 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,774,981 to Maejima et al. (“Maejima”)

Applicant submits that claim 12 is patentable over the cited reference. For example, claim 12 recites a wire-harness fabricating station having a first connector receiving jig configured to detachably hold a plurality of proper connectors and a second connector receiving jig configured to detachably hold a plurality of hybrid connectors. The plurality of proper connectors receive terminals of one of the plurality of partial harnesses, and the plurality of hybrid connectors receive terminals of at least two of the plurality of partial harnesses.

The Examiner maintains that Maejima discloses the above features. In particular, the Examiner maintains that connector receiving jig 34 discloses a first connector receiving jig (Fig. 2; col. 3, lines 51-53). Further, the Examiner maintains that the reference inherently discloses a second connector receiving jig, in column 1, lines 17-19. The cited portion of Maejima discloses that the prior art of Fig. 6 has a receiving jig for securing connector housings 47. However, Maejima discloses that the receiving jig is not shown, so no details are provided. Therefore, contrary to the Examiner’s assertion, Applicant submits that cited portion of Maejima fails to suggest the claimed second connector receiving jig.

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As noted above, claim 12 recites that the second receiving jig is configured to hold a plurality of hybrid connectors, where the hybrid connectors receive terminals of at least two of the plurality of partial harnesses. The Examiner maintains that it would have been obvious to one of ordinary skill in the art to use a second receiving jig to hold a plurality of hybrid connectors or equivalent connectors. However, it appears that Maejima fails to teach or suggest the claimed hybrid connector, or a receiving jig configured to hold the claimed hybrid connector. Therefore, Applicant respectfully requests the Examiner to provide references which teach, suggest, or provide motivation for providing the claimed second receiving jig.

In addition, the Examiner contends that the limitation “using a plurality of proper connectors and a plurality of hybrid connectors,” in lines 2-3 (i.e. the preamble) of claim 12, is an intended use which does not further limit the claimed structure. However, the proper and hybrid connectors are also disclosed in the body of the claim. Therefore, Applicant submits that the proper and hybrid connectors further define the structure of the first and second receiving jigs. Although the recitation appears to be somewhat functional, the MPEP and the courts make it abundantly clear that functional statements may be included as elements of a claim. For example, the MPEP specifically points out that there is nothing intrinsically wrong in defining something by what it does rather than by what it is. See MPEP §2173.05(g). A functional limitation must be evaluated and considered, just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the pertinent art in the context in which it is used.” MPEP §2173.05(g) (emphasis added).

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In light of the above, Applicant submits that Maejima fails to teach or suggest the claimed apparatus, and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Rejection of claim 12 under 35 U.S.C. § 103(a) over Applicant Admitted Prior Art (“AAPA”) (pgs. 1-5 of specification) in view of Maejima

Claim 12 has been rejected under 35 U.S.C. § 103(a) over the AAPA in view of Maejima. In particular, the Examiner acknowledges that the AAPA fails to teach or suggest the first and second connector receiving jigs, but contends that Maejima does. However, for similar reasons as presented above, Applicant submits that Maejima fails to cure the deficient teachings of the AAPA. Accordingly, Applicant submits that claim 12 is patentable over the cited combination.

C. Rejection of claim 13 under 35 U.S.C. § 103(a) over Maejima or the AAPA in view of U.S. Patent No. 6,269,538 to Takada (“Takada”)

Claim 13 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maejima, the AAPA and Takada. However, since claim 13 is dependent upon claim 12, and Takada fails to cure the deficient teachings of Maejima and the AAPA, Applicant submits that claim 13 patentable at least by virtue of its dependency.

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Newly Added Claims

Applicant has added claims 19-22 to provide more varied protection for the present invention.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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